

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

PARUS HOLDINGS INC.	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION No. 6:19-cv-00433-ADA
GOOGLE LLC	§	
	§	JURY TRIAL DEMANDED
Defendant.	§	

**DEFENDANT GOOGLE LLC’S NOTICE OF WITHDRAWAL OF  
RULE 12(b)(6) MOTION TO DISMISS CLAIMS OF WILLFUL INFRINGEMENT,  
INDUCED INFRINGEMENT AND INJUNCTIVE RELIEF**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE ALAN D ALBRIGHT:

In light of Plaintiff Parus Holdings Inc. (“Parus”) filing a First Amended Complaint (“FAC”) (Dkt. No. 20), Defendant Google LLC (“Google”) hereby withdraws its Rule 12(b)(6) Motion to Dismiss Claims of Willful Infringement, Induced Infringement and Injunctive Relief (the “Rule 12(b)(6) Motion”) without prejudice to its ability to file a renewed Rule 12(b)(6) Motion to dismiss the FAC.

On July 22, 2019, Parus filed its Complaint for Patent Infringement (the “Complaint”) alleging direct, indirect, and willful infringement of the ’431 Patent and the ’084 Patent and seeking monetary and injunctive relief. *See* Dkt. No. 1 at ¶¶ 19, 55, 56, 63, 92, 93 and Prayer for Relief. On October 7, 2019, Google timely filed its Rule 12(b)(6) Motion to dismiss Parus’s claims for willful, contributory, and induced infringement and its request for injunctive relief. Dkt. No. 17. On October 21, 2019, Parus filed its FAC. Dkt. No. 20. Relying on the allegations in the FAC, Parus simultaneously filed its Response in Opposition to Google’s

Rule 12(b)(6) Motion. Dkt. No. 19. Because the FAC supersedes the Complaint, a ruling on Google's existing Rule 12(b)(6) Motion is no longer necessary.

For these reasons, Defendant Google LLC respectfully withdraws its Rule 12(b)(6) Motion to Dismiss (Dkt. No. 17) without prejudice to its ability to file a renewed Rule 12(b)(6) motion in response to Parus Holding Inc.'s First Amended Complaint for Patent Infringement.

Dated: October 24, 2019.

Respectfully submitted,

/s/ Steve McConnico

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**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on October 24, 2019, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Steve McConnico  
Steve McConnico